UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,558	12/31/1998	GREGORY LINDHORST	3797.77996	1430

28319   7590   03/14/2002

BANNER & WITCOFF LTD.,
ATTORNEYS FOR MICROSOFT
1001 G STREET , N.W.
ELEVENTH STREET
WASHINGTON, DC 20001-4597

EXAMINER
HO, THE T

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 03/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/223,558	Applicant(s) LINDHORST ET AL.
	Examiner The T. Ho	Art Unit 2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1. Claims 1-9 have been examined and are pending in the application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is no antecedent basic in claim 1 for "said events".

The applicant recites "The system according to claim 1" on line 1, which is an inappropriate dependent because it depends from the system of claim 2. For the purpose of art rejection, it is interpreted as "The system according to claim 2" as best understood and as it appears to be.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, and 5-7 are rejected under 35 U.S.C. 102(b) as being

unpatentable over Dale U.S Patent No. 6,272,673.

As to claim 1, Dale discloses a system for transporting objects (Fig.3) between a

first (server 24a, Fig. 3) and second machine (client 20a, Fig. 3) where the first machine

is programmed in a first language and the second machine is programmed in a second

language (may alternatively be implemented in another object-oriented language, line

24-25 column 6), the system comprises: a memory (11, and 12, Fig. 2) for storing code;

a first processor (10, Fig. 2) on the first machine (server 24a, Fig. 3) for executing code

and instantiating an object on the first machine (causes component 64 to be instantiated

and executed on the application server 24a, line 21-22 column 12); an output for

outputting (in response to the request, line 17 column 12) the object with persistence

information to the second machine (application server 24a provides the HTML page 62

to the client 20a, line 17-18 column 12); wherein, after the object is output from the first

machine, the first processor deletes (explicitly destroyed, line 55 column 13) the

instantiation of the object (the component becomes no longer instantiated, line 54-55

column 13) from the first machine.

As to claim 2, Dale further discloses a second processor (10, Fig. 2) on the

second machine (client 20a, Fig. 3) for receiving the object with persistence information

(receives a requested HTML page, line 18 column 10) and allowing interaction with the

object (the clients 20a detects an applet tag for a component, the browser instantiates

the component in step 603, line 18-20 column 10), the interaction creating events (note

two-ways communication arrows between objects of Fig. 7, and line 30-49 column 10).

As to claim 5, Dale discloses a structure for allowing the interchange of objects (Fig. 3) between a server (server 24a, Fig. 3) and a client (client 20a, Fig. 3) comprises a first object representation (a component, line 19 column 10); persistence information (an applet tag. Line 19 column 10) associated with the first object representation; and event information (604, and 605, Fig. 6) relating to interaction with the object.

As to the method of claim 6, note the discussion of the system of claim 1.

As to claim 7, note the discussion of claim 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale in view of Chang U.S Patent No 5,960,436.

As to claim 3, the system of Dale as discussed in claims 1 and 2 above does not disclose passing modified objects back to the server.

Chang teaches an output of a machine (client, line 7 column 2) for outputting the events and the objects with the persistence information (a record of the transaction and of the modified object, line 8-9 column 2) to the other machine (the server, line 13 column 2), wherein the other machine reinstantiates the objects (written back, line 12

column 2) based on the persistence information and handles the events (sent to the server, and replayed on the server, line 11-12 column 2) as effecting the reinstantiated objects (modified objects, line 12 column 2). It would have been obvious to apply the teachings of Chang to the system of Dale because after the object was being modified by the client computer, it can be sent back to the server for future use by the original client computer or any other client computers that are connected to the server.

As to claim 8, note the discussion of claim 3.

5. Claims 4, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale in view of Barlow U.S Patent No. 6, 275,935 and Chang.

As to claim 4, Dale discloses a first machine (client 20a, Fig. 3), second machine (server 24a, Fig. 3); an input (20b and 22, Fig. 3) in the first machine (client 20a, Fig. 3) for receiving persistence information and an event (requested HTML page, line 18 column 10) from the second machine (server 24a, Fig. 3); a processor (10, Fig. 2) in the first machine (client 20a, Fig. 3) for instantiating an object (instantiates the component, line 20 column 10) based in part on the persistence information (an applet tag for a component). However, Dale does not teach an event handler and outputting the modified object.

Barlow discloses an event handler (an event handler, line 39-40 column 17) in handling event (the event, line 40 column 17) in combination with modifying (executed, line 40 column 17) the object (object 18, line 39 column 17). It would have been obvious to apply the teachings of Barlow to the system of Dale because when the

events are sent to the scripting engine from the server, it can be executed by the event handler.

Chang discloses outputting the modified object (modified objects, line 11 column 2) to a machine (the server's database, line 12 column 2). It would have been obvious to apply the teachings of Chang to the system of Dale for the same reasons as discussed in claim 3 above.

As to the method of claim 9, note the discussion of the system of claim 4.

Conclusion

The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure.

Meyer U.S Patent No. 5,684,955 discloses process for distributing an object-oriented program over a plurality of operating system processes of a computer system.

Callen U.S Patent No. 6,247,039 discloses method and apparatus for disposing of objects in a multi-threaded environment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The T. Ho whose telephone number is 703-306-5540.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

t.h
March 8, 2002

ST. JOHN COURTENAY III
PRIMARY EXAMINER